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8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. *2013 - 898*

13 **ANDREA MARIA POZSAR**
14 **1776 Botelho Drive, Apt. 208**
15 **Walnut Creek, CA 94596**

ACCUSATION

Registered Nurse License No. 639576

Respondent.

16 Complainant alleges:

17 **PARTIES**

18 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
19 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
20 Consumer Affairs.

21 2. On or about July 7, 2004, the Board of Registered Nursing issued Registered Nurse
22 License Number 639576 to Andrea Maria Pozsar (Respondent). The Registered Nurse License
23 was in full force and effect at all times relevant to the charges brought herein and will expire on
24 February 28, 2014, unless renewed.

25 **JURISDICTION**

26 3. This Accusation is brought before the Board of Registered Nursing (Board),
27 Department of Consumer Affairs, under the authority of the following laws. All section
28 references are to the Business and Professions Code unless otherwise indicated.

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1 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
2 enforcement of the case, with failure of the licensee to comply subjecting the license to not being
3 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
4 included in a stipulated settlement.

5 9. Section 118, subdivision (b), of the Code provides that the
6 suspension/expiration/surrender/cancellation of a license shall not deprive the
7 Board/Registrar/Director of jurisdiction to proceed with a disciplinary action during the period
8 within which the license may be renewed, restored, reissued or reinstated.

9 PATIENT M.R.

10 10. Patient M.R. is a 30 year old female admitted to Santa Barbara Cottage Hospital on
11 May 6, 2011 with Angioma Cavernoma and S/P Craniotomy with resection. On May 13, 2011,
12 she underwent surgery that involved right temporal craniotomy. On May 15, 2011, Patient M.R.
13 was assigned to Respondent after undergoing a right temporal craniotomy procedure.

14 FIRST CAUSE FOR DISCIPLINE

15 (Unprofessional Conduct)

16 11. Respondent is subject to disciplinary action under section 2761 in that she committed
17 acts of unprofessional conduct as follows:

18 a. Failed to perform a proper neurological assessment of Patient M.R. by failing to
19 perform a check of the patient's pupils as well as her motor strength every four hours.

20 b. Failed to perform a proper respiratory assessment by failing to listen to Patient
21 M.R.'s lung and heart sounds.

22 c. Failed to perform a proper surgical incision site assessment.

23 d. Failed to accurately measure the patient's fluid intake and output.

24 e. Failed to clean the patient's IV port with an alcohol swab prior to
25 administration of IV medications or fluids.

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12. Respondent is subject to disciplinary action under section 2761, subdivision (d) and 2762, subdivision (e) in that she documented in Patient M.R.'s medical records that she had performed neurological and respiratory assessments, when in fact, she had not.

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

- DATED: APRIL 9, 2013

Louise R. Bailey
LOUISE R. BAILEY, M.ED., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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